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TWENTY CENTS

Journals Elect Editorial Boards For Next Year

By Larry Zelenak

Although sometimes overshadowed by the *Harvard Law Review*, four specialized law reviews are currently flourishing at Harvard Law School: the *Environmental Law Review*, the *Civil Rights-Civil Liberties Law Review*, the *International Law Journal*, and the *Journal on Legislation*. All four of the publications have recently elected new editorial boards for next year.

The three new co-ordinating editors for the *Environmental Law Review* are 2L's James Z. Pugash, Deborah L. Williams, and Michael L. Williams. The youngest of the journals, it is still in its first year of existence.

ELR is designed as a practical, decision-making journal, aimed more at practicing lawyers than academics. It is one of only seven environmental law reviews in the country, and only one of the other journals is national in scope. The editors hope that students interested in environmental law will be attracted to Harvard because of the *Review*. It offers considerable writing experience for its seventy-plus staffers; in fact, about five-sixths of this year's 650-page issue was written by students.

Deborah Williams, who was also a co-ordinating editor this year,

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"Pay Later" Schemes Debated

By Terry Keeney

The Law School faculty is currently considering proposals to allow students to defer paying tuition bills until after graduation.

The proposals, discussed at the March 30 faculty meeting, are far from the implementation stage. But if the Law School adopts some form of tuition deferral, students in the future may choose to obtain loans for all or part of their educational expenses. Then they would not be required to repay their loan obligations until as late as five or ten years after graduation, when the rate of repayment would be determined by their income level.

Proponents of the plan argue that tuition deferral would accomplish two purposes. First, it would further shift the burden of financing the student's legal education from the parents' current income to the student's future income. Second, it would remove the

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Local Group Protects Children's Legal Rights

By Bill Ross

In an age when many lawyers seek to protect the civil rights of various American groups, more and more lawyers are recognizing the special needs of one of the groups least able to protect its own rights: children.

The Children's Defense Fund (CDF), now in its seventh year, seeks to study, publicize, ameliorate and perhaps even solve many of the numerous legal problems encountered by children, according to Prof. Gary Bellow, a CDF lawyer.

Organized in 1970 under grants from various nonprofit organizations, including the Ford, Rockefeller and Carnegie foundations, CDF at first attempted to outline the major

legal issues involving children, Bellow said. It issued several reports, including the much-publicized "Children Out of School." That report contended that, contrary to the popular view of educators, not only do hundreds of thousands of American children not attend school, but prolonged absences are caused more by schools shunning so-called "problem children" than by the children choosing to shun the schools.

Another CDF report, "Children in Adult Jails," called attention to the appalling frequency with which minors charged with often trivial offenses are thrown into harsh institutions inhabited by

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Transfers Allowed for 'Significant Relationships'

By Andrea Brown

Until last year, a Harvard law student who had a love in Louisiana or a sugar in Chicago couldn't do much to curtail the enforced separation unless the pair was also married. Hardship transfers were granted to married students separated from their spouses, and allowed those students to spend a year, usually their third, at a law school in the city where their spouses lived — and still receive Harvard degrees.

Beginning last year, unmarried students who were separated from people with whom they had "significant relationships" also became eligible for hardship transfers on an experimental basis, according to Prof. Frank E. A. Sander, Chairman of the Administrative Board.

A student with a hardship is now defined as a "student who has a substantial relationship of some duration with a person in another area, especially if that person will be in the other area for an indefinite period of time." The Board must also feel that it would be a hardship for these people to be apart where the only choices are to give up the Harvard degree or live apart. This definition of hardship makes the granting of a transfer "turn on the substantiality of the relationship," Sander explained.

But while unmarried students may now qualify for "hardship transfers," the Law School uses a double standard. The application for students who claim that marriage is in their future is channelled to one HLS office, where one administrator — Stephen M. Bernardi, the Secretary of the Law School — perfunctorily passes on it. The applications of students who

don't plan a trip down the aisle, on the other hand, go to the Administrative Board which uses different and more encompassing standards.

The differential administrative treatment means that the student who doesn't plan marriage faces searching questions and obstacles which students who plan to wear the golden band are spared. Unmarried students must convince the Administrative Board of the quality of their relationship to receive a hardship transfer. Married students are left to their privacy.

Sander stated that he would handle a case in exactly the same way, regardless of whether the applicant were unmarried or married. But some factors appear to be weighed differently depending on the marital status of the student.

For example, Bernardi described the scope of his authority as extending to the approval of transfers for students who are married or will be married by the time of their transfers. Any student fitting within this category is automatically granted the requested transfer, Bernardi said, as long as they are transferring to law schools to which hardship transfers have previously been allowed. The fact that the married couple had been separated prior to the transfer is not relevant, nor is the temporary duration of the spouse's commitment to the distant geographical area.

Bernardi said that only if the spouse had a short-term job away from Cambridge and was *committed* to return to the Boston area after that would he refer the application to the Ad Board rather than approve it. Bernardi pointed out that a one-year judicial clerkship in New York and a firm commitment to join a Boston law firm at

the end of the year would fit this description, although he could recall no such case and conceded that such a firm commitment would be rare. The fact that the spouse would be finished with a job or degree program within a year is, Bernardi said, no guarantee that he or she would then be able to come to Cambridge. This is not the reasoning applied to unmarried applicants, however.

An unmarried applicant talks to Sander about the relationship motivating the transfer, the depth of the couple's commitment to each other, and their plans for the future — which need not, Sander emphasized, include marriage. "It's been no great problem, really," to determine the substantiality of a relationship, Sander said. "Once the category has been defined, there is a self-selection about who comes in requesting a transfer." And as to the questions he asks students, Sander said, "Nobody has objected to them."

One unmarried student who has had her petition granted perceived the questions differently. She described them as "the grossest invasion of my privacy," but felt it was "worth it if they're going to say 'yes'." Sander asked her a series of questions relating to the length, seriousness, and exclusivity of her relationship and the frequency of visits. At one point, she said, Sander elaborated, "Let me get this straight: you plan to live with someone and this is a serious relationship which will culminate in marriage." The student, who has no such marital plans, did not answer the latter remark.

After speaking with Sander, the unmarried applicant writes a letter summarizing the discussion and it is distributed to the Ad Board, which votes on the application. The student does not appear before the Board.

The woman quoted above viewed Sander's remark about marriage plans as indicative of
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Id., Ego and Super Ego

By Bruce Howard

(Editor's note: Page Three editor and czar Bruce Howard is still on vacation. We recently received a postcard marked "Confidential" from him reading, in relevant part: "Slight delay. Took a right at West Palm Beach instead of a left. Be back soon." In the meantime, How-

ard instructed: "Run an excerpt from the *Harvard Law Review*. I'm sick of hearing people complain that Fenno is the only mashed potato prose on Mass. Ave." And so, we present the following selection from the most self-esteeming law journal in America, the Lincoln

Continental of legal research, the Federico Fellini of footnote annotation, the Roberto Unger of small talk, the Chivas Regal of case commentary, the upper two crusts of Gannett House — the *Harvard Law Review*. This week's selection is taken from the Developments article in the April issue, entitled: "Radical Reform at the Law Review: How to Change the World by Printing Our Names Horizontally on the Masthead.")

Since the American Revolution,¹ this country² has had a lot of corporations.³ This note⁴

¹ The "American Revolution" is a colloquial expression often used by persons engaging in an effort to make reference to the entity by name. In actuality, the so-called war was actually an armed conflict involving combatants alive and combatting in the final quadrant of the 18th Century; said combatants arising under the citizenship jurisdiction in England (Britain, Great Britain, British Empire, That on Which the Sun At No Time Now or in the Past or Future Time Frame Does Ever Set) and the colonies of said empire of the first part in continent of second part identified by name as America. See *The American Revolution: A War Between England and Some of Her Colonies in America*, unpublished dissertation by Hal "Student Evaluation" Scott (1964) (outlining in alphabetical order the parties involved in the American Revolution). America was named after Amerigo Vespucci. See E. Vespucci, *MEMOIRS OF EUROPA VESPUCCI: THE STORY OF AN UNFAMOUS BROTHER* (1614). A. Vespucci had a brother named Europa, id., who is not discussed in this article. Neither is A. Vespucci himself, nor for that matter, is the American Revolution further analyzed beyond the instant exposition.

² I.e., United States. See note 1 *supra*. But see, e.g., U.S.S.R., Portugal, Martha's Vineyard.

³ Corporations are entities which have been or were (the relevant context dependent upon the framework applied in the selected analysis; *res ipsa loquitur* incorporated. Incorporation is an entity which is an act by which aforementioned heretofores *supra*, *fran*, *inter alia* are created or brought into existent being. Incorporations as such are *per se* beyond the scope of this article. Cf. discussion of Vespucci brothers, note 1 *supra* (describing at length other entities also beyond scope of this article). A *fortiori* corporations are examined at greater length in longer articles in previous volumes. For the purposes of this article, it is arguably enough to record that an *a fortiori* corporation, in terms of its definition, is an entity which produces pasta entrees including for-

tiori, manicotti and lasagna.) See also H. L. HUNT, *PASTA LUEGO: A LATER MODEL AND REVIEW AND CROSS-NATIONAL INTERPRETATIVE MODEL OF CONSUMER EATISM AND EATNESS*. Cf. *Muellers v. Hunt*, 614 F. Supp. 138 (suggesting F. for Supper). But see *Heinz v. Vita Herring*, 13 F.2d 76 (indicating it is unlucky to let F. eat seconds). The definitive analysis was attempted and then consumed by P. Freund at lunch, March 14, 1928. See P. FREUND, *AT LUNCH: THE HARKNESS 600% MARK-UP ON DANNON YOGURT AND THE SEPARATION OF CHUCK AND STEAK*.

⁴ See notes 1 through 114 and accompanying text, *supra*, *infra* and instant footnote⁵ and accompanying text and footnotes.

⁵ Instant footnotes, see note 4 *supra*, are described in greater detail in the *UNIFORM SYSTEM OF CITATION*, Plainclothes Pocket Part, 12th edition, 2d edition of; published daily by the Ivy League in various shades of blue, white, blue white, indigo and blue. See M. Hart, secretary⁶, Business Office, Gannett House, Cambridge, Mass.

^{6,7} M. Hart, secretary of the Law Review, is not to be confused with M. H. Art, lawyer for

Secretariat. The latter, Art, is a man; the former, i.e. Hart, is a woman. Assuredly, this is not a distinction that has legal significance, see *Thurber v. Wife*, 164 U.S. 924 (1910), though it can make a difference on second dates.⁸ See *B v. D*, 234 Cal. Rpt. 18 (implicating West Coast reptiles in underwear scandal).

⁷ The number 6 was derived from the Roman Numeral 9 when the latter was reversed by the Supreme Court of Roma in the infamous case of 6 v. 9, 315 Q.B.D. 842 (leaving open the question: what does Q equal?). See 1 Am. Juris. (answering the question: Are you juris?).

⁸ This point is intended to have meaning only in its neutral sense, that is, on the apolitical level in which all legal statements are without literal meaning. This is not to say that *Law Review* editors are without substantive political opinions. Indeed, many of us support in theory the general notion of change, as a concept, though we recognize that change, to be theoretically feasible, must be gradual and excremental.



This is Gannett House, home of the most self-esteeming journal in America. Recently, Law Review editors have worried aloud that the Lincoln Continental of legal research may become a thing of the past in the wake of new, tougher government pollution control standards.

Deferred Tuition To Relieve Parents' Burden

(Continued from Page 1)

pressure on students to take high-paying jobs to repay educational debts and, some proponents hope, encourage more students to enter the less lucrative public-interest career.

Discussions of the tuition-deferral plans seem to follow the trend of Harvard's financial-aid policy to allow students, rather than parents, finance the three years at Harvard. Prof. Lance Liebman, in a memorandum to the faculty on loan repayments, noted, "The transition from parental payment of law school expenses to lawyer repayment is underway. We couldn't stop it if we wanted to."

Russell A. Simpson, assistant dean and director of financial aid,

a rate of eight percent of income, Breyer believes that the Law School doesn't provide sufficient incentives for students with financial obligations to enter public-interest jobs.

Liebman sees little correlation between the amount of a graduate's debt and his career choice. "People with loan burdens do not seem to choose different careers than people who owe no loans," Liebman said.

Simpson believes that educational debts are not a controlling factor in student decisions not to enter public-interest practice. Simpson noted that many public-interest opportunities are located in areas many graduates find unattractive. "They are willing to accept public-interest positions in

Yale could not stand the uncertainty of obtaining sufficient funds to meet spiralling tuition and other costs.

"If you are going to defer the obligation to pay the tuition, you have to have some source of receiving tuition to pay the bills," Ecklund said.

The Yale experiment did accomplish several worthwhile goals, Ecklund said. The experiment showed that deferred tuition is administratively feasible. He hopes that the Yale experiment may still interest the federal government in providing the capital for financing deferred tuition for higher education.

Simpson is also hopeful that the federal government will provide the capital to get any type of deferred-tuition plan off the ground.

"I see no place where sufficient capital could be raised except the federal government," he said. Simpson noted that the Law School Admission Council and the American Association of Law Schools have proposed that the federal government start a pilot program for deferred tuition, using graduate and professional schools. Collection of tuition could be administered by the Internal Revenue Service or Social Security Administration through some kind of payroll withholding. Such a method of collection would avoid the problem of loan defaults which have plagued existing federal loan programs. Simpson reported that about 20 percent of all outstanding student loans are "seriously delinquent" — more than six months behind in payment.

Breyer has proposed one possible method of obtaining sufficient initial capital without federal intervention. He has suggested that the Law School increase tuition by \$1250 for incoming students. But this \$1250 would be used as an interest-free loan that students would not have to repay until five or ten

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Deferred tuition plans: study now, pay later?

expressed enthusiasm that tuition deferral would make students, not parents, pay. "One of the things that would be ideal would be to shift tuition from the current income of parents to the future income of students," said Simpson.

But, there is disagreement among members of the Financial Aid Committee as to the effect of a deferred tuition plan on students' inclination to enter public-interest careers. Committee member Prof. Stephen G. Breyer believes that some students may shy away from low-paying public interest careers because of their heavy financial obligations. Although the Law School currently requires graduates with financial aid debts and income less than \$14,000 to repay their debts at

San Francisco or New York, but not in Dubuque, Iowa," Simpson said.

The proposals are similar to an experiment in tuition deferral which was ended this academic year by Yale University. Under the Yale plan, students throughout the university could defer payment of their financial obligations. In its five-year existence, between one-fourth and one-third of new students each year took advantage of the plan.

The Yale plan was discontinued last September because the University did not want to continue borrowing money to finance the plan. John E. Ecklund, treasurer of Yale, noted that Yale had no problem obtaining the required credit from banks to finance the plan, but

From Prosecution to the Public Interest: More Clinical Places

Assistant Dean Jeanne C. Kettleson and Professor Gary G. Bellow have planned a quantum expansion in the enrollment of Harvard's clinical courses, beginning next fall semester.

Not only will the potential enrollment jump from the present number of approximately 100 per semester to over 400; there will be a greater variety of placements available.

This coming fall, a civil liberties litigation course, taught by Lecturer on Law David Rosenberg will be offered. Due to the difficulty in placing students with the Civil Liberties Union of Massachusetts, the enrollment will be limited to 16 students.

The greatest expansion will occur in the spring. The Lawyering Process-Criminal section will offer training for prosecutors, rather than defense lawyers, as has been the case (possibly in the fall, as well). A new course, taught by visiting practitioner Dan Resnick, will focus on the Government Lawyer, and Kettleson will offer a course entitled The Public Interest Lawyer.

The latter two courses will differ from previous clinical courses offered at the Law School in that the student will be allowed to choose the office in which he or she is placed, consistent with the focus of each course. The enrollment limit of each course will be 32 students.

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Professor Vern Countryman will make his debut in the clinical program, teaching debtor-creditor course (limit of 16 students). Judge John C. Cratsley, Lecturer, will again offer his course on the Lower Trial Courts, in which students will be placed in various courts throughout Boston. Finally, a Personal Injury Litigation course, in which the exercises will be simulated, will be taught by Rosenberg.

More changes are planned. A course in Appellate Litigation is one possibility, and Kettleson contemplates offering another prison advocacy course.

Deferred Tuition

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years after graduation.

When students begin to repay their \$1250 at \$250 per year, the Law School would ultimately have additional funds which could be used as loans to existing students or to decrease the financial obligations of students in the same class who have lower incomes.

Breyer argued that this tuition plan might work, despite the experience at Yale. "I don't think Yale's experiment is necessarily pessimistic," Breyer said. He noted that his plan would apply only to the Law School, where the Yale plan applied to all students from the law school to the divinity school.

Ecklund agreed that the Yale experiment did not necessarily foretell doom for any Harvard attempts to defer tuition. He noted that the Law School would encounter less strain in obtaining capital because the number of students seeking aid is much lower. In addition, banks may be more interested

(Continued in next column)

in providing capital for Harvard Law School, because of the earning power of law school graduates.

Breyer noted that the costs of operating the Law School will increase dramatically, especially from the expected increase in faculty salaries which have traditionally been kept equivalent to government salaries.

"Whether we like it or we don't like it, law school costs are going to go up in the future," Breyer predicted. "Law school is labor-intensive and when there is inflation the cost of labor-intensive products tends to increase faster than the cost of other products."

Along with the increasing cost of law school, Simpson noted a growing reluctance of parents to pay for their children's law school education. "Fifteen years ago parents were willing to scrimp and save and put their children through Harvard Law School. Today that's not as true," he said.

Breyer argues that it is fairer to make students pay for increased tuition through future income than to force financially strapped parents to foot the bill. But Breyer fears that deferred tuition might decrease alumni contributions, so that the check sent to repay a student loan to Harvard might replace the annual donation.

"If we cut the alumni giving, then we will gain nothing," he said.

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Transfer: Love and Marriage Needed?

(Continued from Page 2)

the Board's attitude. Therefore, while not lying in her petition to the Board, she alluded to marriage, saying that she did not plan to marry until after she took the bar exam.

Where the separation may be temporary, Sander feels that a leave is more appropriate than a transfer. Bernardi's practice of approving transfers unless the spouse's return to Boston is guaranteed is more lenient than that of the Ad Board, which approves transfers where the only alternative to separation is to forfeit the Harvard degree by permanently transferring to another law school. Thus, a married student with a spouse in a one-year graduate program in New York would be automatically allowed by Bernardi to transfer to NYU or Columbia for a year. An unmarried student with a lover in the same program might well be told by the Board to take a leave of absence for a year.

Sander also stated that prior separation of the unmarried couple is considered in deciding whether to grant the transfer, although he "wouldn't hold it against a married person." In non-marital cases, Sander said the "relevant question is if the prior separation was voluntary or was induced by the exigencies of the situation, such as the job market. We try to act coherently, but every case is different from every other."

These factors of prior or possibly temporary separation were used to deny the transfer application of one of the growing number of students who spend a year between their second and third years of law school working as interns at law firms. This student arranged his year off early in the fall of his second year, several months before meeting the woman with whom he is now "seriously involved." She is enrolled in a degree program in a third city, to which the law stu-

dent would like to relocate in order to be with her.

The student was informed by letter that several members of the Ad Board felt that his decision to spend the current year working in a different city, rather than with his girlfriend whom he didn't meet until after accepting his job, "tended to cut against your claim that a separation from [your girlfriend] next year would constitute a sufficiently serious hardship to justify granting your petition." In addition, the temporary nature



Dean Bernardi: an automatic "yes" to ring-wearers.

of her tie to another city convinced the Board that another year's leave of absence would be more appropriate for the law student.

The "prior separation" justification particularly aggravates the law student since he stopped by Bernardi's office in May of last year to inquire about the hardship transfer for unmarried students. He was *not* told that his impending year away would affect his eligibility.

While Sander indicated that the Board might have made the same decision had the same case involving a married student been brought to the Board, such a case would not be brought, as Bernardi would

have automatically approved it.

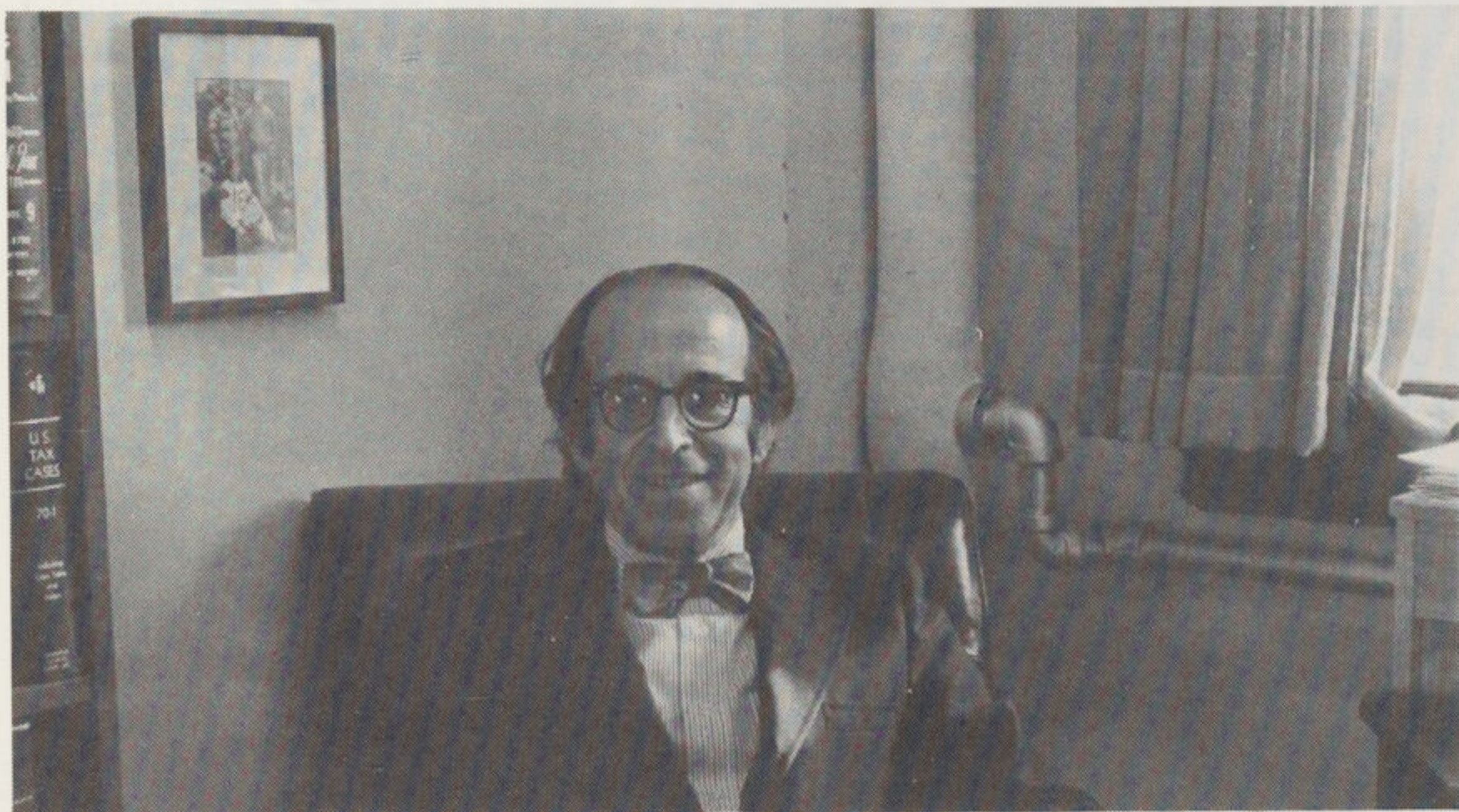
The applicant for a transfer must clear more bureaucratic hurdles than that of getting HLS's approval for transfer. He or she must also be accepted by a high-quality law school in the target city. Bernardi explained the process as one undertaken by the student, as "a straight admissions problem," and said that he had never had the occasion to veto a chosen school, although "it could happen." It is not surprising that there hasn't been a veto, since applicants must clear their transfers out with Harvard before most other law schools will consider their applications for transfers in. Sander said that when a student shows the Board that he or she needs to be in a particular city, the Board informs him or her of its preferences in law schools in that city. "There is a sense that it has to be a high-quality school. We don't give a Harvard degree for work at any school — the work must be roughly equivalent to work here."

The problem of allowing a married student to transfer to a school which is forbidden to an unmarried student has not come up, according to Sander. Bernardi considered that "with less hardship, the Board might be more picky about the law school to which one may transfer." And Sander conceded that "a non-married student going to a first-rate law school raises less of a problem. If a person wants to go to a marginal school and has a non-traditional case, it is a harder question."

It has been a harder question which the Administration has been trying to resolve for some time. Two years ago, when Andrew Schatz and Lincoln Kaplan petitioned the Ad Board for transfers to Chicago to be with their girlfriends, the "marriage doctrine" was informally modified. Kaplan said a faculty member showed him a copy of a memo which, although "am-

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Hardship Transfers: Does Marriage Help?



Prof. Sander: how "significant" is a "significant relationship"? SJ

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biguous," led everyone to believe that "the new rule was that non-marriage was not a detrimental factor as long as the couple had been living together before"; if they had been separated, transfer would be denied. Or as Schatz put it, "hardship was defined as a disruption of the status quo." Schatz and Kaplan were both denied transfers.

While administrators seem to fear that many students want to finish at other schools, there has been no flood of applications since transfer standards were liberalized a bit. Andy Schatz, for one, doubts that such a flood will materialize. "They think that the whole world will want to run away

from HLS if it can, but that's not true. Cambridge is a great place . . . People who want to leave normally have strong personal reasons, sufficient to distract them if transfer isn't allowed."

The number of desired out-transfers may soon become more clear. HLS has just arranged a program whereby five Harvard students can spend a year at Berkeley and five Berkeley students will come to HLS. This is part of an attempt that Sander described to "try to have a broader program for people who don't have hardships but want to spend some time at other schools." "It's a more candid approach than trying to squeeze into hardship categories," Sander said.

Lawyers' Guild

The Northeastern Regional Conference of the National Lawyers' Guild will be held at Harvard this weekend, April 15, 16, and 17. The colloquium will consist of workshops, films, and panel discussions, and will address such topics as housing problems, labor concerns, the social services, and domestic relations. The meetings will, for the most part, be held in Austin Hall, and registration will be held in that building from 6-8 P.M. on Friday, April 15.

A modest fee — geared to income level — is payable at the time of registration. For further information, check the Guild Bulletin Board in the Hark.

Overseers Coming

The "Overseers Committee to Visit the Harvard Law School" will hold their annual meeting at HLS on April 22-23. Four Subcommittees (Library, Availability of Legal Services and Related Matters, Graduate Program, and Placement) will meet from 2:15 to 5:00 P.M. on Friday, April 22, in the Pound Building.

The Subcommittee on Placement plans to meet with members of the Law School Placement Committee, not more than four employer representatives, and not more than five HLS students (to be selected by the Law School Council) from 2:15 to 4 P.M. The last hour of the meeting will be open to the student body at large, but anyone who wishes to speak in that hour will be allowed no more than five minutes. (If more than 12 persons wish to present their views in the "open hour," 12 will be selected by lot.) Any student wishing to present views to the Subcommittee on Placement should give his or her name to Law School Council President Meldon S. Hollis, Room 204, Austin Hall, not later than Wednesday, April 20. Those selected to speak will be notified Thursday, April 21.

Students wishing to appear at other subcommittee meetings should contact these faculty liaisons: Professors Cohen or Kaufman (Library), Professors Bellow or Heymann (Availability of Legal Services), and Professor Steiner or Assistant Dean Smith (Graduate Program).

The Overseers Committee has also scheduled an "informal coffee session" with students from 10:30 a.m. to 12:00 noon on Friday, April 22.

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Reviews Elect New Editors

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expects to run a more efficient organization next year.

"Nobody on the staff had any experience with publications," she remarked, "so we made just about every mistake possible. We put our authors through torture by giving them bad instructions and asking them to do totally impractical things. We're going to be much more professional next year."

Robert A. Mass, 2L, the new Editor-in-Chief of the *Civil Rights-Civil Liberties Law Review*, doesn't have the same problem of growing pains to contend with. Now well into its second decade, CR-CL is the largest journal of its sort in the United States, with over two thousand subscribers.

But the new editors are concerned about getting the staff members more directly involved in the *Review*. Ellen Taylor, 2L, the new Managing Editor, explained: "We want the staffers to get more feedback. At the very least, everyone who does any work for us will get a thank-you note, so they know they haven't been forgotten. If sub-citers want, we'll arrange for them to have conferences with the authors and editors of the articles they've been working on. Also, we want 1Ls and 2Ls to share more of the responsibility with the editors."

Deborah De Hoyas, 2L, the new Editor of the *International Law Journal*, is also concerned about getting more people involved in the workings of her publication. "We feel very strongly about getting a broader base of staff members," she noted. "That means working hard to recruit 1L's, and giving the staffers more experience in editing and writing."

Although plans are still tentative, De Hoyas hopes to have one or two large special sections next year, including issues on human rights and third world development. She is concerned, however, that ILJ not become identified too strongly with any one issue or ideological viewpoint.

"I have my own views, of course,"

she said, "but I don't want them to color the *Journal*. An academic journal isn't fulfilling its purpose by being closed to certain points of view. A doctrinaire attitude might alienate people who would otherwise want to work on the *Journal*, and that would be a real disservice to those people."

On the other hand, David A. Hingstman, 2L, the new President of the *Journal on Legislation*, admits that politics played some part in the selection of the board of editors. He explained that, "A journal that calls for legislative change will almost inevitably have something of a liberal tilt; at least that's the way it's worked out here." The "Eugene V. Debs Memorial Refrigerator" and the print of Picasso's "Guernica" in the *Journal's* office tend to bear him out.

Hingstman is what Robert B. Leflar, 3L, the current president, calls "a typical *Journal* rags-to-riches story." He began working for the *Journal* only last October, spent the next few months editing an article on tax incentives, and was elected President early this year.

Hingstman has few definite plans for the subject matter of next year's four issues. Because the *Journal* depends upon articles submitted by students, especially third-year papers, it is difficult to plan issues far in advance. Nevertheless, Hingstman has not ruled out the possibility of a special issue, possibly an issue devoted to legal problems of medical care.

Hingstman is also President of the Legislative Research Bureau, an organization connected with the *Journal*. The Bureau solicits legislative projects from the federal and state governments and assists legislatures in researching proposed bills. For example, this year the California legislature asked for comments on proposed legislation to regulate recombinant DNA research. Those comments may eventually lead to an article in the *Journal*, as Bureau projects have done in the past.

Defense Fund

(Continued from Page 1)

hardened criminals. Other CDF reports studied the plight of children of women prisoners and examined the often prejudicial record-keeping practices of schools and other institutions.

"CDF's first phase was concerned with research and some litigation," Bellow explained. "But you don't effectuate national advantages for children unless you have contact on the local level." For this reason, several local CDF offices were opened throughout the country to implement and expand the work of the central office in Washington, D.C. An office was opened in Cambridge in November 1975.

"The umbrella organization developed broad policies and these were translated into local efforts," Bellow said. A fundamental CDF theory is "focused case pressure," whereby CDF in the course of specific cases encourages institutions — through moral persuasion or litigation — to enact reforms beneficial to children. "You need to have a system where the number of cases is small enough to focus attention on the problems of individual children but large enough to focus pressure on the bureaucracy. We combine social science with litigation and help to individuals. It's a very interesting model for social change."

Bellow noted that cases involving children are often related to larger issues of race and class prejudice in America.

CDF offices throughout the nation have handled scores of such cases on a wide range of topics affecting children. For example, CDF has arranged for psychiatric care for a 15-year-old murderer sentenced to life imprisonment in Arkansas; persuaded South Carolina to change its practice of allowing children residing in counties with no juvenile courts to be tried as

(Continued on Page 14)

Spring Forward

With the first tentative stirrings of spring come some long-awaited signs that the Law School is shaking off its bonds to traditional areas of the legal community. Without the furor of gripe sessions with the Visiting Committee, student sit-ins in the Dean's office, ad hoc committee meetings or passionate petitions, change (incremental though it may be) is happening at the Law School. We are surprised, still impatient, but pleased nonetheless.

Strolling through the tunnel (on what we hoped was our last sojourn of the winter) we noted that the pledges for Student Funded Fellowships had topped last year's mark — and the returns are not all in. According to Norman J. Abrams, the BSA member heading up the fund drive, pledges have exceeded the \$13,000 mark (compared to a total fund of \$9,600 last year). The SFF campaign this year differed from last year's in that it was short and intensive, and included aggressive solicitation by phone.

An alumnus writes in this week's *Letters to the Editor* that he hopes the BSA will consider canvassing the alumni for contributions. In the wake of the recent election of Laurie D. Zelon, 3L, as Class Marshall of the class of 1977, the suggestion makes sense. Zelon was elected on a "boycott" platform; perhaps offering the alumni the chance to participate in the annual SFF drive would divert some funds from the deep pocket of the Law School into students' pockets — as living wages for those interested in public interest law.

We report in this issue that the faculty is studying a deferred tuition scheme which might also encourage graduates to pursue public interest careers which are more rewarding to them, though less remunerative, than jobs in private firms. Graduates currently saddled with large debts frequently perceive the need, with good cause, to get their bucks immediately upon leaving the Law School. Every one of the schemes under study would relieve this undeniable pressure, with beneficial results.

Finally, we report that the director of the clinical program at Harvard, Dean Jeanne C. Kettleison, has planned significant changes in next year's program. More placements in public interest areas will be offered, and Kettleison herself will offer a course entitled *The Public Interest Lawyer*.

Whatever the meaning of the elusive category of "public interest law," there is good reason to believe that a majority at the Law School want the school to encourage its study, and practice, more than is done at the present. The ongoing changes we report this week indicate that there is such encouragement. The possibilities are ripening — and it will only get warmer from here on out.

HARVARD LAW RECORD

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ANDREA BROWN	Associate Editor
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Fenno

"Ugh," Fenno said as his eye followed the line of skulls down the picture. "He must have painted that after a class with Casner."

"I don't know, Fenno," his 3L companion replied. "It says he painted it at age 4. Hadn't Tribe already graduated from here by then?"

"I forgot. It must have been done just after Tribe joined the faculty. See that tiny skull rolling down to join the others?"

"It's nice to know that some of the faculty have the ability to express themselves, especially the ones who are such inarticulate hacks in class."

Fenno had to agree. "I was skeptical of the idea of a faculty art show at first. Who would have thought that Dershowitz could paint pictures of people with clothes on?"

"So you admit it's a success? I was afraid you might make fun of Trautman's twenty-five renderings of 'white on white.' They certainly express the full range of his emotions."

"Me?" Fenno asked. He was hurt. "I never say things about the faculty. I mean, I could have taken a cheap shot and reminded you of the Louis Loss exhibit. Remember the pictures he painted over the years where each one was exactly like the last? But I won't mention them."

"My only objection to the exhibit," said the 3L, "is the less than representative selection of Parker's finger paintings. I think you miss their full expressive power when there are only 147."

"Too sad," Fenno agreed. "The other 6978 were crowded out by Unger's grand rendering of 'Law sitting in the bosom of God.' Since Parker was doing his very best to convey Unger's metaphysical idea in his chosen medium, (and he does try so hard), some of the series had to go."

The 3L looked around the room. Something was missing. "What happened to those couches Dr. Stone designed?"

"Brudney and Vagts complained that third-year papers weren't getting done. The library staff discovered that instead of sleeping in class 3L's were nodding out on the art exhibit. Added to that, the papers that were completed talked about toilet training and younger siblings. Stone's couches had to go."

"Fenno, I've got to go. If I get my Comm Trash assignment finished I figure I can get in the other parts of the faculty art exhibit later. Tonight is the premier of Nesson's movie on the late 1L's who volunteered in Byse's class, *Ten who Dared*."

"I'll walk out with you. Art exhibits are fine, but I'm waiting for the faculty talent show. Rumor has it that Sacks does a great funeral oration — 'Friends, Vernon Countryman, etc . . .'"

Letters to the Editor of the RECORD

Cows Are The Ones With Udders, Right?

To the Editor:

There has been a great deal of talk about sexism in the RECORD recently, and I found a brand of it most offensive in the March 4 issue regarding coffee making.

I have been a legal secretary for almost 15 years, have worked for a variety of men and women, and spent many hours training first- and second-year law students in practical procedures (something far outside the theory you dine on in school). I have never seen such consummate snobbery as expressed in your editorial. Any fledgling lawyer can tell you that the expertise in a law firm is not limited to the privileged few who have walked your hallowed halls — the statement is even made on page 11 of that issue that the "intellectual equality of women to men is . . . beyond doubt" — yet the entire tone of both the editorial and the article is a condescending smirk that somehow "I am better than they".

The search for dignity in one's chosen profession — and mine is as much a profession as yours — has been and continues to be a serious effort on the part of secretaries. Lawyers require and demand the highest degree of intelligence, intuition, diligence and skill from their secretaries, yet constantly refer to them in the same category as the machines being used. . . .

You can "play" with your books for hours, or days, or even weeks, but unless I utilize my skills, you have nothing to show for it. All the rhetoric is just so much hot air; all the theory just a pipe dream. . . . The telephones in many offices are answered by the boss as well as the secretary, because frequently her/his work is too important to be interrupted. . . .

The public has long been in awe of the mystique surrounding the law. Those of us on the inside know how much of it is pure blarney, and how much of the magic is really a skillful secretary.

A true secretary is much more than a dictation-taking, typewriting robot. . . . Secretaries prepare correspondence unaided, maintain corporate records, prepare draft pleadings or wills, act as intermediary with clients, follow the court calendar, and perform many other functions invaluable to the operation of the business. . . . No lawyer ever prospered with a poor secretary; but many a competent secretary enhanced the chances of a mediocre lawyer.

I can excuse your ignorance because, presumably, you have only spent a few summer months inside a functioning law firm. The question of who makes the coffee is only one facet of the continuing mistreatment of secretaries. I don't like getting my hands dirty

change typewriter ribbons either, but that is part of my job — catering to your bodily needs is not. . . .

I can only hope that when you have finished your fun at Harvard and come out of that playpen into the real world, you will be able to find a secretary suitable to your needs — a trained cow perhaps. If you should luck out and get one of the human kind, with feelings and intelligence, I can only extend my sympathies to her/him and hope that, somewhere along the line, you are able to discern the difference between the two.

**JoAnn Suttner,
Buffalo, New York**

Ed. note: Ms. Suttner's opening volley, that the coffee story and editorial are somehow "sexist" because written about a secretary, betrays a bias of her own. Nevertheless, we were very disappointed that we could not run the letter in its entirety. It was obviously deeply felt. Although we are not quite sure what the closing salvo means, it does provide fodder for thought.

To the Editor:

Here is a little ditty with my view on your March 4 article and subsequent editorial on the coffee issue. I understand and empathize with both views, however, from my own point of view, I think the dissidence lies in the how and not the who.

In Re Rodriguez v. Juan Valdez

To fetch or not to fetch
Is not the question. . . .
Whether tis nobler of secretary or boss. .
Whose time is better lost. . . .
Is not the question to clear up,
The "tempest in a coffee cup."

But, nay, the RECORD should at last be clear,
The searing issue here, I fear,
Is whether to be asked or ordered
(emphasis added)

Not who should, should not, or oughta'
Be the one on whom is lorded
This purported coffee tort.

"I would have been happy to do it
if I was asked." (*Harv. L. Rec.*, Vol. 64,
No. 5, March 4, 1977 at 5)

"There's a nice way [of doing things] . . .
(supra)

And, of course, a crass
Way, and now I think at last,
The question and the die are cast . . .
Whether tis nobler to be nice. . or
Just a pain within the a —.

**Allia Zobel, legal secretary
Astoria, New York**

To the Editor:

The March 4 RECORD, with its feature story on the Chicago coffee war and its editorial comment on the subject, prompts me to comment on a related subject which has troubled me since my days at Harvard Law School. Let me begin with the RECORD editor's conclusion that in today's law office "the secretary and not the boss has to walk to the coffee-pot. . . ."

It seems to me that the legal minds which our law schools so proudly manufacture ought to be such that their owners can do at least two things at once — e.g., walk and think. Some might even argue that walking can aid thinking. It certainly can aid the smooth functioning of an office when it demonstrates a willingness on the part of one group not to relegate others *unnecessarily* to what may understandably be perceived as errand-boy chores. There is a time to ask for coffee and there is a time to "go fer" it yourself. There is a time for the secretary to be a waitress and a time for self-service.

Sensitivity to the needs of others — in particular those less favored with educational opportunities than a lawyer and therefore perhaps quite conscious of indicia of scorn — can accomplish both the cup of coffee (or whatever) and the unruffled feathers to which the employee is probably entitled. To my knowledge such sensitivity is nowhere to be found in the HLS curriculum; it is unusual among practicing lawyers, perhaps because law training overlooks personnel skills. The RECORD editorial points up eloquently the lack of such sensitivity — in something of a blind adherence to the convenient hierarchy of time values (which itself could bear more careful analysis) — and reminds me once again that I should suggest that people skills be somehow imposed upon the budding intellects grinding their way through our law schools and then too frequently through the psyches of their employees.

**Raymond S. Andrews, Jr., '68
Hartford, Connecticut**

Gucci-Loving Dean Seeks New Position

To the Editor:

On the whole I rather enjoyed your April 1 piece about me in the RECORD, despite your glaring omission of references to Gucci loafers, LaCoste shirts and other items of resort wear that would have completed the picture. Nevertheless, it was a competent job.

**Stephen M. Bernardi
Assistant Dean and Secretary**

P.S. If you hear of any job openings I would appreciate your letting me know. I am interested in almost anything given the fact that I have received only two weeks' notice.

(Continued on Page 12)

(Continued from Page 11)

Funded Fellowships Deserve Support

To the Editor:

Hoorah for the Student-Funded Fellowships! As too many law students have discovered, notwithstanding their interests in public interest law, a low or non-paying summer job can create great and often unacceptable strains on personal finance.

During my stay at the Law School, I found a compromise formula by which I worked a well paying "Wall Street" job for part of the summer and then pursued my special professional interests for the remainder with my limited summer savings. This was not an altogether happy compromise. Summer experience is a valuable asset for law students and a valid means of arriving at career choices. The SFF appears to be giving a limited number of students a greater opportunity to make alternative career choices without undue hardship.

For those students who choose well-paying summer jobs, SFF provides an opportunity to help out and to be reminded that as members of the legal profession their responsibilities extend beyond the confines of pursuing their own limited professional interests.

Here's hoping that action will be taken in the near future to encourage contributions to SFF from alumni(ae) as well.

Greg Lynch '73
New York, New York

RECORD: Sex-Blind, Or Blinded by Sex?

To the Editor:

Sex, sex, sex. Can't the *Record* manage to talk about women in realistic, non-sexist terms? The March 18 issue was a case in point. Bruce Howard's person-ful attempt at explaining his quite arguably sexist column of the previous week was drowned out by that tasteless one-liner in Fenno, the all-too-cute Herb Garnish episode, and pointless Cryptic Law. The *Record* does such a wonderful job of being quality-blind in what it prints that being sex-blind shouldn't be so difficult.

Natalie Lichenstein, 2L
Cambridge, Mass.

Alumnus Defends Socratic Method

To the Editor:

This responds to Gary Brooks' invitation to "analyze *** the effects of employment of the 'Harvard Socratic Method.'" It is the perfect partner for the case method of teaching. The case method is eminently practical. When a client comes in with a problem he presents us with a "case." Thus the case

method in the classroom is the quintessence of "clinical" teaching. But it would be silly for a professor to tell a law school class how to handle a case. There are too many kinds of cases. Too many are unique. What the professor needs to do is to give the student an opportunity to learn (not be told) how to handle a case. The first value of the Socratic method is that the student learns by doing and is monitored by effective feedback.

The second virtue of the Socratic method is that it compels synthesis. When we learn we all want pigeonholes into which to put things, the old appetite for black letter law. The trouble with the pigeonholes is that, when you take them into your law office and reach into them for an answer to a client problem, you often don't have the answer, or even worse, you have a bad answer. The Socratic method forces the law student to discern the often intimate connection between rules and fields of law which at first glance seem disparate. Furthermore he is forced to do this on his own so that the result winds up being very difficult to forget.

The third advantage of the Socratic method is that it is fun. It lends the study of law the intellectual excitement and stimulation of a detective story. Again this is a very practical aspect, because few clients ask the right questions and few legal problems answer themselves. If one has not learned a taste for detection in law school, one is likely to do a poor job for a client in practice.

The fourth advantage is the challenge which the Socratic method poses the professor. . . . It confronts him with the test and the audit of the best minds in his class, and therefore forces him to clarify, to eschew intellectual dishonesty, and to anchor his certainties with well documented research.

Most important of all . . . it has produced some superbly effective lawyers. If experience is any test it would be hard to give the Socratic method higher marks.

As to the anxiety it appears to generate for some students, I think this is attributable more to student competitive drive than it is to teaching method. Harvard is a place which collects stars. Like every other working social group, the Law School class eventually sorts itself out from the alphas to the omegas. The trouble is that the omegas were all alphas in prior groups to which they belonged, and the inevitable adjustment of subordination, once they join their peers, is painful for some of them. Resistance against the truth of this sorting process is what generates anxiety.

However, life and the profession are themselves sorting processes and one might as well get used to the experience. A man is a fool who doesn't learn to recognize his betters and he becomes a dangerous fool when he resents them for their talent.

It would be a shame to dull the cutting edge of a law school education and to kill its challenge simply to make students comfortable by blurring their differences in aptitude. It's a law school, not a cooking school,

and it teaches problem solving, not stamp collecting. It is the highest and best function of the faculty to resist these perennial student petitions that legal training be replaced by psychotherapy.

William Q. Keenan '49
New York City, N.Y.

Fellow Editor Misses the Point

To the Editor:

In "Boston Bakers Turn Chicken Fried" (*HARVARD LAW RECORD*, March 4), Gary D. Hailey stated:

"The almost legendary neighborliness and slow pace of Southern living are disappearing [sic] in the new megalopoli. The facts of modern urban life — traffic jams, pollution, and the like — are facts of life in the Sunbelt, too."

To this I would like to add the following comment: Wayell, gawddam, y'all, you done opened up mah ayes. Ah think 'ahm gonna go aut'n bah mahseff a paih of shoes.

In our next issue we plan to print an article exploding the myth of northern backwardness. We'll send you a copy.

David C. Veeneman
Editor, *The Dicta Press*
Vanderbilt Law School
Nashville, Tennessee

Update Provided on Namibia Trial

To the Editor:

I write in order to update my article in the February 11 *Record*, in which I reported on the Swakopmund terrorism trial in Namibia.

The South African Appeal Court gave its decision on March 17. The convictions and sentences of all four accused were set aside. The court did not base its decision on the merits of the convictions; rather, its decision was grounded on the theory that the Security Police spying on the defense law firm amounted to a violation of the attorney-client privilege and was thus a miscarriage of justice.

There is still a troubling element: after the decision there were news reports that Aaron Mushimba and Hendrik Shikongo were to be re-arrested immediately after their release. As you will recall, anyone can be detained at any time and held for an indefinite period under the Terrorism Act. Further, there is no protection against double jeopardy.

Ralston Deffenbaugh, 3L
Cambridge, Mass.

HARVARD LAW RECORD

NERD COMIX

starring
Herb
Garnish



Ah...to think that one day
all state law will be uniform...

2



Uh-oh! The Note-Phone!
What new emergency is
emerging??

What new
footnotes to
history are
appearing
in the
text of
life??

Enough
hoble
philosophy!
I must
answer
the call!



Annotator? This is the Commis-
sioner of the Uniform Law
Committee of the American
Bar Association Section On...

Can it! What's
been perpetrated?

Someone has
introduced
ambiguities into
the Uniform
Simultaneous
Death Act!!

I'll
get
right
on it

Only the Citator is tough enough
to have pulled off this fiendish
caper!

TEHCITER!! Sharpen up
the pencils! It's time
for ACTION!!

Stick with
primary
colors. It's
a rush
job.

Mm-hm. I see.
You bet. Gotcha.
Right. Uh-huh. Sure.
Yeah. Great. OK.

OK. How about
the "Tax Dodge"?

VROOOOM



"The person shall have
included in his gross person
an amount to be determined
by his person, unless the
person determines otherwise"
This is even more vague than
I thought anyone but the
Revenuer could be!!!
O vile Citator!

LATER...

Annotator, once again
civilized society as we
know it is in your debt.

Yes, Commissioner,
It sure is.



POP

Wow...
I wonder how
many billable
hours that would
have been



Scott Patterson THANKS TO
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and Shirt Laundry
at

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(off 1672 Mass. Ave.)



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RESERVATIONS 491-1000

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Diners, American Express, Bank Americard, Master Charge Credit Card. Specialists
in banquet, wedding, and business meetings.

Innkeeper — JOSEPH ESKENAS

CDF Unites Theory With Practice

(Continued from Page 9)

adults; challenged a Louisiana statute banishing children to out-of-state institutions for long periods of time; challenged a Connecticut law singling out mothers of illegitimate children on welfare for prosecution and fines or incarceration for failure to name the child's father; joined with HEW in promulgating guidelines for protecting children on whom medical research is done in institutions; and monitored the activities of a federal commission studying the ethics of behavioral research involving children.

During 1976 Bellow spent six months at CDF's Cambridge office as a full-time staff attorney. Bellow spent much of his time studying problems faced by juveniles in institutions and working on the problems of children suspended from Boston schools. He noted that he also reaped academic benefits from his experience at the CDF office.

"It was valuable for seeing how legal theory connects with legal practice," Bellow said. "I had a chance to see how to make lawyering more effective in legal aid areas." Bellow, who teaches clinical training here, said his experience supervising young lawyers at the CDF office taught him more about what lawyers need to know regarding clinical work.

"I feel strongly that teachers must also be learners," Bellow said. "I learned about how lawyers learn.

We [professors] need to constantly question what teaching methods make sense and what materials make sense. In trying to help children through legal service, I became more reflective about how to help young lawyers."

Even though Bellow and staffers at the Cambridge CDF office say that the office has been a success, it will close on June 1 and its work will be assumed by Cambridge-Somerville Legal Services and other agencies.

The closing is partly caused by a lack of funding but more fundamentally reflects the fact that local offices were considered an experimental phase of CDF's work, according to Janet Schuur, director of the office. Most CDF staffers at the Cambridge office and other local offices around the country are being transferred to CDF's Washington office, she said.

Schuur listed the office's work on school records, classification of children and lead paint as the office's major accomplishments.

After one local child suffered permanent brain damage from having eaten lead paint that was peeling off his parents' rented dwelling, CDF began an extensive program to educate Cambridge landlords about the dangers of lead paint, which is found on many old buildings. Noting that a civil action for damages is pending against the landlord on whose premises the child was injured, Schuur noted that perhaps landlords who are deaf to moral appeals will be frightened into repainting their buildings by the threat of tort actions.

The office also has worked to prevent misclassification of children. Bellow and Schuur noted that emotionally disturbed or poor children often are mis-labelled as mentally retarded. This and other misclassifications can devastate a child's entire school career, they pointed out. Many of the theories for coping with this problem developed by CDF's national office have been tested recently in the

Cambridge and Boston public schools.

CDF also advises parents of their rights under a new Massachusetts statute which liberally allows parents to examine their children's files. "We have often had to do no more than simply explain the law," Schuur said. "A lot of people can be their own advocates if they have the weapons. If they can point to the blatant illegality of school officials who deny them access to files they are in a far stronger position than if they meekly ask, 'Gee, why can't I see my child's files?' Even though people often need lawyers, they often can fight for themselves if they are just alert. Lawyers should ultimately teach people that they can sometimes fight for themselves.

Bellow noted that the complexity of many problems regarding children has caused occasional disagreement — both nationally and locally — among CDF staffers about how best to aid children. "You start out with people committed to doing something about race and class problems as they relate to children," Bellow said. "There's no ideological problem there. There's certainly a willingness to cooperate. But the problems are so complex that there is disagreement about appropriate means in certain instances."

For example, CDF staffers disagree about whether poverty-stricken parents ought to be given wider rights to remove their children from foster homes or whether it is better to try to keep the children in homes where they will receive more material advantages.

Bellow and Schuur noted that the local office has been aided by the volunteers from Harvard Law. Schuur, a 1973 HLS graduate, said that service in the office has helped give many students valuable experience in legal aid work.

Bellow stated that despite the far-flung existing activities of CDF, the possibilities for future work seem limitless. "Children have so many legal problems," he said. "A lot remains to be done to help them."

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CLASSICAL GUITAR
TUES. EVES. By JOHN JERVIS

Suggestion Book Full of Complaints

By Gary D. Hailey

Law students are not easily-pleased people. But don't take my word for it: go to the Langdell Reading Room circulation desk sometime and look through the "Suggestion Notebook."

Most of the "suggestions" in the notebook would be better described as "complaints." Sure, there are a few compliments as well, but they are far outweighed by all the gripes and bitches.

Many concern perceived shortcomings in the library's physical facilities, or lack thereof. Why isn't there a pay phone in the Reading Room? There should be more ashtrays. Why are there so many burned-out lights? The Root Room's too cold. The Root Room's too hot.

Another common class of complaints bemoans missing or damaged books. Volume 250 of the *U.S. Reports* hasn't been on the shelf for three whole days. Why isn't the latest issue of *Punch* in the Root Room? Pages 735-742 have been torn out of volume four of *Tex. Jur. 2d*. And so on and so forth.

With only the "Suggestion Notebook" to go on, a skilled psychologist could easily describe the typical law student:

—**Lazy** ("Why aren't there any pencil sharpeners at the north and south ends of the Reading Room so I don't have to walk all the way to the card catalogue sharpeners?")

—**Uptight** ("Why does Buildings and Grounds have to change light bulbs during exam time?")

—**Unilingual** ("Can someone translate the French captions to the cartoons in the typing room?")

—**Observant** ("The two carpet pieces in front of the circulation desk are obviously of a different dye lot than the rest of the rug.")

—**Persistent** (in about a dozen-and-a-half entries in the same handwriting, one student suggests new ways to arrange the *Radio Regulation* volumes, points out misfiled pages, and in general wages a one-man war to reform the library's handling of FCC materials).

—And last, but not least, clean ("The ladies' basement bathroom is out of soap.")

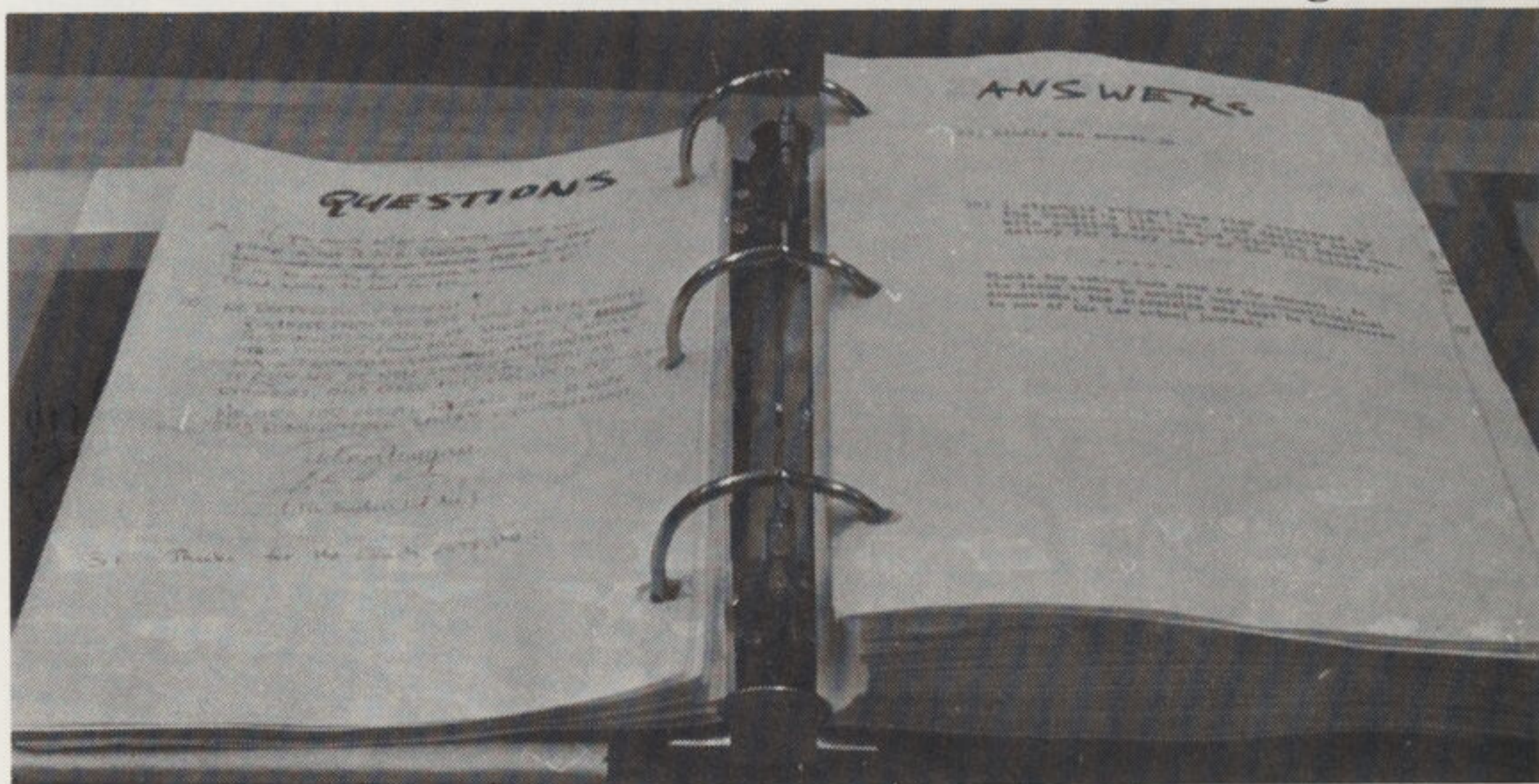
As you can see, complaints and questions range from the reasonable to the ridiculous. But the one thing that all the "suggestions" have in common is that they get answered.

And they get answered quickly. Replies are neatly typed on the pages that face the suggestions, and they appear promptly. A question entered

late Friday night had been answered when the notebook was checked early Sunday afternoon. (Weekday service, we hear, is even quicker.)

Sometimes the complainant gets satisfaction. Reports of torn pages or missing volumes bring thanks and a promise to locate, repair, or replace. Suggestions for acquisitions (say, *Rolling Stone* or the codes of the British Virgin Islands) are referred, logically enough, to

(Continued on Page 16)



Library complaints? Write 'em down here.

SJ

Cryptic Law

The following excerpt from a case included in the 1976 Supplement to *Casner & Leach's CASES AND TEXT ON PROPERTY* is in "judicial code." Decode it. (Hint: Each letter stands for a different letter of the alphabet.)

"Xgwarwe ua p opeeir. Gw ua diyerwwb
ubxgwa rpkk, qurg p fewwb xipr, twkkiq
gwps pbs pb iepbfw arewpj ib gua qubfa.
Ews aokpagwa xicwe gua kwdr agiykswe.
Xgwarwe ua p agiq opeeir . . . [S]yeubf pb
wzguvuruib . . . , Xgwarwe dkwq rgw xiio
pbs diybs ewdyfw ub rgw rpkkwar reww gw
xiyks dubs. Kpsswea oeicws ri vw rii agier.
Iddwea id diis qwew arwpsdparkt ufbiews. P
ewryeb ri rgw pewp ib rgw bwzr niebubf
ewcwpkws rgpr Xgwarwe qpa fibw."

(Solution on Page 16)

SPORTS QUIZ

1. Which pitcher had two one-hitters and two two-hitters in 1976?
2. Who was the winning pitcher in Oakland's last World Series game? (hint: since then he has been involved in a no-hitter)
3. Two teammates led the American League second basemen and shortstops in fielding percentage last year. Name them.
4. Only three American League RBI champions still play for the same team they did when they gained that honor. Name them.
5. How many American League home run champions and runners-up still play for the same teams they did when they gained those honors?
6. What was the first uniform number ever to be retired?
7. The author of the world's most famous scouting report died last month. Name him and recite his laconic report.
8. Is any Hall of Famer presently a major league manager?
9. EXTRA CREDIT. How far from the pitching rubber to second base? Be very precise.

(Answers on Page 16)

Suggestion Book: Students Never Satisfied

(Continued from Page 15)

the Acquisitions Department. Complaints about burned-out lights are passed on to B&G, and an answer to that effect is entered in the notebook. Promises of action, polite denials, referral to the responsible parties — routine answers to routine suggestions.

But not all the answers are routine. A tongue-in-cheek suggestion ("Now that the library has Lexis training, how about manhood training?") elicits a response in a similar vein ("Isn't that what the Socratic method is all about?").

Sports Answers

1. Rick Wise of Boston.
2. Blue Moon Odom, game 5, 1974. He and Francisco Barrios combined for Chicago to no-hit Oakland in 1976.
3. Duane Kuiper (2b) and Frank Duffy (ss) of Cleveland.
4. Lee May (Baltimore 1976), Carl Yastrzemski (Boston 1967) and Brooks Robinson (Baltimore 1964).
5. Two — Graig Nettles (1976 New York) and Carl Yastrzemski (1967 Boston, tie).
6. Willie Horton (Detroit 1968, runner-up) was traded this week.
7. Mike Gonzalez; "Good field, no hit."
8. Yes, Bob Lemon of the Chicago White Sox.
9. 65 feet, 4 3/4 inches. It is 127' 3 3/8" from the back point of home plate to the center of second base. From the back point of the plate to the front edge of the rubber is 60' 6". The rubber itself is six inches from front edge to back edge. Since the second base bag is a 15" square centered on "second base," the bag extends 10 1/2 inches toward the mound (Pythagorean theorem). Thus from the back edge of the pitching rubber to the nearest point of the second base bag is 65' 4 3/4".

Oliver Wendell Holmes: "The Great Descender?"

A picayune complaint ("When people enter comments about the photocopying machines, they should write 'Xerox,' not 'xerox'") brings forth a bit of sarcasm ("You have a great future as a trademark attorney"). Early in the fall, when several students commented favorably about the new gold rug ("It's beautiful — and I'll never be embarrassed by my squeaky shoes again"), the reply mixes a breezy acknowledgment ("Only the best for the brightest") with a stern moral exhortation ("We hope library users will do their best to keep the rug clean during the winter months").

Who writes the answers? Well, everyone at the library dummied up when that question was asked. As best we can figure, a committee of Reference Desk personnel take turns.

One member of the group is not only knowledgeable about legal history but also an accomplished punner. When asked, "Which jurisprudential Olympians have in the past ridden the Reading Room elevator to the basement bathrooms?", he or she answered, "You name 'em, we've had 'em; wasn't it Oliver Wendell Holmes, Jr., who was known as 'The Great Descender?'."

A second is a literary *aficianado* who answers as many questions as possible with Shakespearean (or), at least, Shakespeare-like) quota-

tions.

Another author is a realist, knowing there are more thorns than roses in a suggestion-notebook-answerer's life. A rare bit of praise ("Lexis was a great idea") is cherished and graciously acknowledged ("Compliments are always welcome"). But when the next entry sounds a less happy note — "I can never find *The Crimson* in the Root Room" — the reply is calmly philosophic:

"Well, back to the complaints."

Solution to "Cryptic Law"

"Chester is a parrot. He is fourteen inches tall, with a green coat, yellow head and an orange streak on his wings. Red splashes cover his left shoulder. Chester is a show parrot . . . [D]uring an exhibition . . . Chester flew the coop and found refuge in the tallest tree he could find. Ladders proved to be too short. Offers of food were steadfastly ignored. A return to the area on the next morning revealed that Chester was gone." *Conti v. ASPCA*, 77 Misc. 2d 61, 353 N.Y.S.2d 288 (1974). Plaintiff subsequently found Chester in his backyard, fed him, and took him into his home. The happy new owner called the ASPCA for advice as to the care of the parrot. The representatives, sent to plaintiff's home, inspected the bird and concluded that it was Chester, the missing bird. Upon refusal of defendant ASPCA to return the bird, plaintiff brought an action in replevin. The court found that Chester was a domesticated animal and that the rule of *ferae naturae* did not prevail. Thus, the ASPCA (the bird's true owner and trainer) was entitled to regain possession. The court concluded by commending the plaintiff for his acts of kindness towards Chester and "was gratified to receive the defendant's assurance that the first parrot available would be offered to the plaintiff for adoption."

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"MR. DEEDS GOES TO TOWN."
Saturday, April 16 at 8 and 10 pm.

In the Harkness Commons Dining Hall.
Admission: \$1.00 or \$.50 with HLSDC Activity Card.